

INVITATION TO PANEL MEMBERSHIP

Title of Requirement	The establishment of a Panel for the provision of Training Services to the Leisure, Health & Fitness Skillnet
eTenders RFT ID	8491118
Process	The establishment of a Panel under the Competitive Procedure with Negotiation Title III service under Directive 2014/24/EU
Issue date	24th June 2026
Closing date for queries	12 noon (Irish time), Friday, 10th July 2026
Initial Closing date for receipt of completed questionnaires	12 noon (Irish time), Monday, 20th July 2026
Panel Applications Closing:	12 noon (Irish time) Thursday, 19th July 2029
All queries to be submitted via:	eTenders only.
<i>Please note that information relating to this Questionnaire, including any clarifications and changes will be published on the Irish Government Procurement Opportunities Portal (www.eTenders.gov.ie). Registration is free of charge and there is no charge for documents. Please note that LHF Skillnet cannot accept responsibility for information relayed (or not relayed) via third parties. All queries must be made via the eTenders website.</i>	

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DISCLAIMER

This document issued herewith ('the Document') is for information only and does not constitute, and shall not be interpreted as, an offer for sale, prospectus, or the basis of a contract.

Candidates are recommended to read the documents thoroughly. While all reasonable steps have been taken to ensure that the information set out in the documents is accurate and up to date, no representation or warranty, express or implied, is or will be made or given in relation to the accuracy or the completeness of any information contained in the documents or otherwise provided by or on behalf of The Contracting Authority, in writing or otherwise, to any interested party or its advisers. No responsibility or liability for any loss or damage arising as a result of reliance on these documents, or for the information contained in these documents, or for any omission is or will be accepted by The Contracting Authority, or by any of its officers, employees, agents or professional advisers. No officer, employee, agent, or professional adviser of The Contracting Authority, has any authority to give or make any representation or warranty, express or implied, in relation to such information. The Contracting Authority, officers, employees, agents and professional advisers expressly disclaim any and all liability arising out of such documentation or information and any errors or omissions in or from the documents and information.

The Contracting Authority reserves the right to discontinue the procurement process at any time.

NOTE: Without prejudice to the principle of equal treatment, the Contracting Authority, is entitled to but not obliged to engage in a clarification process in respect of questionnaires with missing or incomplete information. Therefore, candidates are advised to ensure that they return FULLY COMPLETED questionnaires in order to avoid the risk of elimination from the competition.

1 About the Contracting Authority

1.1 Leisure, Health & Fitness Skillnet

The Leisure, Health and Fitness Skillnet network provides training specific to the industry in collaboration with Ireland Active. The courses provided are wide ranging and aimed for member companies which include leisure facilities, gyms, health clubs and swimming pools. We deliver tailored, sector-specific training solutions at substantially reduced costs, to support leisure employers and their business needs.

Further information is available at on www.lhfskillnet.ie

1.2 Small and Medium Enterprise Participation

It is the policy of the Contracting Authority to promote participation by Small and Medium Enterprises (SMEs) on a fair and equal basis.

SMEs are encouraged to explore the possibilities of forming relationships with other SMEs or with larger enterprises to meet the financial, economic or technical capacity requirements of the competition, if required.

Candidates may include individuals, partnerships, limited companies, groupings or any combination of the foregoing with or without legal personality. However, a grouping if successful will be required to establish legal personality to gain admittance to the panel and to be awarded any contracts under the panel.

Candidates are reminded that they may rely on the resources of other entities to establish the requirements on condition that they can prove to the satisfaction of the Contracting Authority that they will have these resources at their disposal when necessary.

If the Application is from a consortium / joint venture, Candidates must ensure that all the relevant information is provided and where necessary, provide the information requested separately for each party. Relevant information relates to where a Candidate is relying on the resources to qualify (e.g. turnover, workforce, previous experience) and or to deliver contracts. The consortium must appoint a single point of contact who will assume overall responsibility for delivery, and who is authorised to sign any relevant documents including contracts on behalf of all consortia members. The Contracting Authority will not act as an arbitrator between members of consortia.

1.3 Note

Please note that information relating to this Qualification Questionnaire, including clarifications and changes, will be published on the Irish Government Procurement Opportunities Portal www.eTenders.gov.ie. Registration is free of charge and there is no charge for documents. Please note that the Contracting Authority accepts no responsibility for information relayed (or not relayed) via third parties.

Please note that in addition to this invitation, the following documents form part of the tender documentation:

- Appendix 1 – Questionnaire Response Document (**this document and format must be used for responding to this Invitation to panel membership**)
- Any Clarification documents issued by the Contracting Authority during this qualification period. Candidates must ensure they regularly monitor eTenders and review any Clarification documents published.

2 Scope of the Panel

The Contract Authority proposes to engage in a competitive process for the establishment of a Panel for the provision of Training Services to the Leisure, Health & Fitness Skillnet.

A Panel constitutes a means of establishing overall terms and conditions in accordance with which, for a specified duration, individual contracts may or not be awarded.

In the context of a Panel, all contracts will be awarded in accordance with the process outlined herein.

It is emphasised that a Panel constitutes no guarantee to purchase a specific quantity of supplies or services from a particular Economic Operator. Indeed, the Contracting Authority reserves the right to operate outside of the Panel at its discretion, particularly should it become apparent that doing so would offer greater value for money or specific areas of expertise. Notwithstanding the foregoing, the Panel approach has been adopted in order to leverage efficiencies and maximise cost savings over the duration of the Panel.

2.1 Background to requirements

Leisure, Health & Fitness Skillnet provides ongoing training and upskilling across all areas of the leisure, health and fitness industry. The courses provided are wide ranging and aimed for member companies which include leisure facilities, gyms, health clubs and swimming pools.

They are a mix of both accredited and non-accredited training.

The initial requirements for training are categorised under the following two themes:

1. Aquatics Education & Certification
2. Gym / Fitness Staff Education & Certification

Each Theme has a range of sub-themes, as detailed below.

1	Aquatics Education & Certification
1.2	Lifeguard Training
1.3	Swim Teacher Training (All Levels)
1.4	Swim Coach
1.5	Swim Tutor
1.6	CPD Training
1.7	Aqua Aerobics Instructor
1.8	Pool Management Qualifications
2	Gym / Fitness Staff Education & Certification
2.1	Gym Instructor

2.2	Personal Trainer
2.3	Pilates Instructor
2.4	Reformer Pilates Instructor
2.5	Indoor Cycling
2.6	Pre & Post Natal Exercise
2.7	Group Fitness Instruction
2.8	HYROX / CrossFit Upskilling Workshops
2.9	Other REPs Accredited CPD Courses

Please Note: Courses in these categories may be run once, more than once or not at all, depending on the demand and availability of funding.

2.1.1 Range of Training

Leisure, Health & Fitness Skillnet appreciates the training requirements, learning outcomes durations etc will differ from course to course.

To facilitate this the Contract Authority will require candidates to provide the following details on each course/ programme they provide as part of their response.

Please Note: Candidates may provide details of all courses they provide which fit under either of the two Themes presented but may not currently be listed as a Sub-theme.

CANDIDATE:		Comment					
1	THEME						
2	SUBTHEME						
3	Programme Name						
4	Programme Details						
5	Duration						
6	No. of Attendees						
7	Delivery Method	Online	☐	In Person	☐	Blended	☐
8	If in Person - Locations						
9	Assessment method						
10	Cost						
11	Accredited	Yes	No				

	If Yes, by whom	

This information can be duplicated to cover all offerings.

2.1.2 National Coverage

The training requirements will have a national requirement. Candidates can identify as part of their response the counties within which they can offer the training.

COUNTIES		COUNTIES		COUNTIES	
1	Carlow	10	Kilkenny	19	Offaly
2	Cavan	11	Laois	20	Roscommon
3	Clare	12	Leitrim	21	Sligo
4	Cork	13	Limerick	22	Tipperary
5	Donegal	14	Longford	23	Waterford
6	Dublin	15	Louth	24	Westmeath
7	Galway	16	Mayo	25	Wexford
8	Kerry	17	Meath	26	Wicklow
9	Kildare	18	Monaghan		

2.2 Numbers admitted to the Panel

The Panel will be established with all firms who qualify.

2.3 Duration of the Panel

The maximum duration of the Panel will be three (3) years.

There will be an initial call for applications as per the details of this document, which will be subject to an initial deadline to allow for processing of applications. However, the panel will remain open for applications for its duration. New applications will be assessed at regular intervals, at a minimum of a quarterly assessment.

For the avoidance of doubt, the Contracting Authority confirms that the period of any contracts awarded under the Panel may extend beyond the date of expiry of the agreement.

2.4 Estimated Value of the Panel

The estimated total value of purchases pursuant to this Panel is in the region of **€75,000 to €150,000** (excl. VAT) over the lifetime of the panel and any subsequent contracts, depending on demand, strategic alignment and budget allocations.

The estimated value of the panel provides for a comprehensive range of learning solutions to be developed and delivered, including both instructor-led, self-paced digital resources, and blended solutions. The panel will be available for use across the Contracting Authority as a whole and reflects learning and subject matter expertise across a range of themes and disciplines.

It is emphasised, however, that these figures are provided strictly for indicative purposes only as there is no guaranteed expenditure under the established Panel.

2.5 Awarding Contracts under the Panel

2.5.1 Stages in the Procedure

This is the first stage of the procedure (Qualification Questionnaire) whereby all interested candidates may submit a response, but only those meeting the selection criteria (qualification and experience) requirements will be deemed eligible for inclusion on the panel.

If a response is considered inadmissible, that is, does not meet the selection criteria requirements, or there are errors in the response, they can reapply.

2.5.2 Awarding of Contracts

Contracts will be awarded under this Panel and as and when required. It is anticipated that the first round of competitions will be conducted shortly after the establishment of the panel.

Contracts will be awarded using the following methods:

2.5.2.1 Direct Drawdown

Where only one (1) panel member has indicated capability in one of the specified Theme or sub themes, geographical location, or qualifies with uniquely available training.

2.5.2.2 Less than €5,000 (excl. VAT)

Contracts may be awarded directly by the application of specific criteria to invite the most appropriate panel member to carry out the training to include:

- Theme/ Sub-theme
- Delivery mechanism
- Location
- Specific Subject Matter expertise
- Previous Contract Information submitted
- Demand

Where a shortlisted supplier indicates lack of capacity or availability to enter into a contract of this value, the Contracting Authority reserves the right to offer the contract to the next most suitably qualified panel member.

The Contracting Authority also, reserves the right to conduct a competitive process with at least two (2) or more panel members, based on the information provided, as it relates to the criteria specified above - such as delivery mechanism or learning theme.

2.5.2.3 €5,000 to €49,999 (excl. VAT)

Contracts will be awarded by inviting at least three (3) members of the relevant category, subject to that number qualifying, to take part in a tender competition on the basis of a written specification issued and award criteria applied.

The selection of the panel member invited to respond to the tender competition will be based on the assessment of the original Candidates' details and against the application of selected criteria to include:

- Theme/ Sub-theme
- Delivery mechanism
- Location
- Specific Subject Matter expertise
- Previous Contract Information submitted
- Demand

The Contracting Authority reserves the right to conduct a tender competition at this threshold with all members of the relevant category.

Please Note: As the subject matter of this procurement is a Title III Service, all legal obligations including timelines will be observed for all competitions above the European Threshold of €750,000.

Please Note: The selection of panel members to participate in any tender competitions may also be subject to Section 3.8.2 – Dealing with poor performance.

2.5.3 Immediate requirements

Once the initial Candidates have been processed and admitted to the Panel, it is planned to promptly begin the tender competition for requirements as soon as possible.

2.5.4 Proposed Award Criteria at tender Stage

Each individual competition will clearly set out the award criteria that will be applied. The award criteria applied may vary from competition to competition but will always be relevant to the subject matter of the specification.

2.5.5 Award to Runner up in a Tender Competition

In the event that, following the award of any contracts under this Panel, by means of direct drawdown or tender competition the Panel member cannot, for whatever reason, deliver the required services to the satisfaction of the Contracting Authority; the Contracting Authority reserves the right to award the contract to the next highest-ranked Candidate emerging from the process at any time during the tender validity period.

2.6 Updating Information submitted by Panel members

Prior to the commencement of any new training calendar (quarterly, half yearly or annually), the contracting Authority reserves the right to contact all panel members to update their training offerings, in order to ensure that the most up to date information is available.

2.7 Use of the Panel

The Contracting Authority will use this Panel as and when requirements within its scope arise. However, there is no obligation upon the Contracting Authority to make use of this Panel. Notwithstanding this fact, the Panel may be terminated in accordance with the agreement terms and conditions, a draft version which will be appended to the Application document.

3 Specific Requirements

3.1 Scope of Requirements under the Panel

Panel members will be invited to compete for contracts to work with the Contracting Authority to deliver accredited and non-accredited training either in person or online or blended.

Where the term “supplier” is used in this and following sections, it refers to a panel member who has been awarded a contract.

The training requirements may change over the lifetime of the Panel. Please refer to section 2.6 above.

3.2 Overview of Requirements

Candidates applying for membership of the panel should have expertise in design, development and delivery of training requirements identified by the Contracting Authority.

3.2.1 Partnership and Co-Delivery of Material

The Contracting Authority may require the option to have a specific programme co-delivered with Contracting Authority nominated personnel.

3.3 Detailed Requirements

This section provides an overview of the types of contracts likely to be issued under this panel. The detailed requirements for each contract will be set out in the written specification issued at the time of tendering.

The types of services that may be required and expectations around how the panel member(s) expertise may be used have also been identified.

3.3.1 Training Material

3.3.1.1 Design

The panel member(s) may be required to deliver contracts which develop high-quality physical education training, that are engaging, interactive, and meet the current and future learning needs of the supported training/ fitness locations.

Appointed suppliers will work with the Contracting Authority and stakeholders to expand on learning outcomes to ensure ongoing relevance of learning solutions for the supported training/ fitness locations.

This may include but is not limited to:

- working with the Contracting Authority and stakeholders to ensure relevant information is identified and incorporated into the training solutions
- synthesizing and adapting subject-matter experts’ knowledge and information into effective content for programme delivery
- ensuring that content is relevant for now and future requirements
- ensuring that content is reflective of requirements of an operational nature.

3.3.1.2 Delivery

Working with the Contracting Authority, suppliers will be required to deliver the required training to the required levels and standards, both onsite in locations and online.

3.3.1.3 Review/ Update of material

Suppliers may be required to maintain and update content and resources developed over the lifetime of the panel.

The Contracting Authority will conduct reviews to address feedback and improvements to the learning solutions. Reviews with suppliers will take place on a regular basis.

Suppliers will also be required to review, reflect on and respond to learner feedback, through both evaluation forms, (i.e. common queries raised on courses).

3.3.2 Future requirements not yet identified

The Contracting Authority will determine new requirements over the lifetime of the panel. These requirements may include learning themes in the themed areas identified here:

1. Aquatics Education & Certification
2. Gym / Fitness Staff Education & Certification

The Contracting Authority may engage with existing panel members as new requirements emerge.

3.4 Accreditation

Where possible, the training should be mapped to a relevant accreditation. The tendering organisation must provide details of any accreditation proposed for each course. Where an accreditation is available for the training programme, it will be the responsibility of the training provider (i.e., the successful tendering organisation) to administer the accreditation, liaising with the relevant accrediting body.

Training providers including an accreditation as part of their submission should provide evidence of their eligibility to provide this accredited training from the relevant awarding body. All costs associated with the administration of the award, including any fee incurred by the student, will be borne by the training provider.

3.5 Target Audience

These training courses are aimed at Ireland Active members, REPs Registered fitness professionals and Leisure, Health & Fitness Skillnet network members working in the Leisure, Health and Fitness industry in Ireland.

3.5.1 Language Requirements

The majority of the training will be delivered through English.

The Contracting Authority may require learning solutions to be delivered through Irish. This will be addressed on a case-by-case basis and included within tender competitions issued to panel members.

3.5.2 Accessibility Guidelines

Digital learning solutions developed from this panel should be designed as accessible for all learners. Panel members will be required to design inclusive and accessible learning experiences for all learners, including learners with visual or hearing impairments.

The design and delivery of all learning and development programmes will follow the relevant accessibility principles, guidelines and legislative requirements, including the European Accessibility Act (EAA). These requirements will be fully specified at tender stage but will include adherence to WCAG 2.1 and Universal Design for Learning (UDL) principles.

3.5.3 Group Training

While the majority of the training will be developed and delivered for open enrolment there may be a requirement to deliver tailored training to individual Contracting Authority clients. This will be addressed on a case-by-case basis and included within tender competitions issued to panel members.

3.6 Estimated Volume of activity

3.6.1 Learner Volume

Expected numbers of participants attending each course will range from 8 to 18 approximately. Envisaged timeframe for the delivery of these programmes is from 1st September 2026 to 31st December 2028.

*Depending on availability of funding.

3.7 USP – Unique Selling Proposition

At tender stage, tenderers will be required outline:

- what their unique selling proposition is:
- what makes their business unique,
- what they bring to the table more than their competitors etc.

Note: These courses may be delivered once, more than once or not at all, depending on the demand and availability of funding. Once a need for any of the above-listed courses arises, companies from the panel will be invited to participate in the mini-tender; the contract will be evaluated in line with awarding criteria specific to each training programme, which will be made known to those invited to tender.

3.8 Account Management

3.8.1 Account Manager

The Contracting Authority requires panel members to nominate a dedicated Account Manager who will act as the main point of contact for the duration of the Panel. This person shall have the authority to deal with all matters in relation to contracts and be responsible for the satisfactory delivery of the services required.

The duties of the account manager will include the following:

- Overall responsibility for a good working relationship with the CONTRACTING AUTHORITY
- Maintain full oversight of contract and associated portfolio
- Provide regular reports on performance as agreed with the CONTRACTING AUTHORITY
- Meet as and when required to review performance and programme delivery
- Deal with disputes, complaints or concerns that cannot be adequately resolved
- Proactively discuss with the Contracting Authority ways of improving efficiency regarding service delivery in general and providing suggestions for service improvement, ensuring impact and value for money.
- Ensure 100% compliance to GDPR requirements in all interaction and correspondence with the Contracting Authority and learners.

Any supplier must not use the time spent delivering Services arising from contracts issued under this panel to market or advertise any other business offerings to learners.

The Contracting Authority will meet with the appointed Account Manager on a regular basis in person or virtually, to review performance in accordance with the relevant contract(s) as awarded under this Panel.

3.8.2 Dealing with poor performance

The Contracting Authority reserves the right to exclude any panel member from a tender competition because of poor/ non-performance during a previously awarded contract. This is not limited to development or delivery of a requirement but also administration, account management, finance and associated duties.

Panel members will be informed during regular review meetings regarding any issues with poor or no performance and justification for removal from any tender competition will be explained and provided.

3.8.3 Reporting Process

Information on required reporting detail will be provided at tender competition stage.

3.8.4 Service Level agreement

Information on SLA requirements will be provided at tender competition stage.

3.9 GDPR

The Contracting Authority requires Candidates to confirm they are now fully compliant with the GDPR, and the Data Protection Acts 1998-2018.

The Contracting Authority will require all Panel Members to provide sufficient guarantees, in particular in terms of expert knowledge, reliability and resources, to implement appropriate measures to ensure that data processing will meet the requirements of GDPR and the Data Protection Acts 1998-2018; ensure the protection of the rights of the data subject; and the security of processing.

The Panel Members will be required to fully outline all parties that may be involved at any point in the processing of Personal Data as part of the service delivery and the location of such processing. This should include other technology support partners and suppliers of service to the respondent. The Contracting Authority requires all data to be stored within the European Economic Area or any other country determined to offer an adequate level of data protection by an adequacy decision of the European Commission.

3.10 Details of Contracts arising over the life of the Panel

The panel may also be used for the development and/ or delivery of any Contracting Authority requirement which falls under the subject matter of this panel.

4 Qualification Questionnaire

Please complete Appendix 1 as the Questionnaire Response Document which is available on eTenders in Word format.

All qualification criteria are assessed on a pass/fail basis.

#	Pass/Fail Criteria	Pass Requirements
1	General information	Candidates must complete this section. If the Candidate is a grouping, then a separate questionnaire must be completed for each group member. Please complete the Questionnaire Response Document (Appendix 1).
2.1	Tax Compliance	Candidates are required to complete a Self-Declaration Form (Section 2). Candidates should note that if invited to tender, they will be required to provide the evidence self-declared prior to receipt of Request for Tender.
2.2	Insurances	Please complete the Questionnaire Response Document (Appendix 1).
3	Declaration of Bona Fides, Statutory Obligations, Art. 5K Regulation 2022/576/EU, and GDPR Declarations	Candidates must complete, sign and date these Declarations. The Contracting Authority reserves the right at its discretion to exclude a non-compliant Candidate under each heading. Note: This must be completed by each group member. Please complete the Questionnaire Response Document (Appendix 1).
4	Profile of Company	Candidates are required to provide a brief statement of their Company. Please complete the Questionnaire Response Document (Appendix 1).
5	Training locations	Candidates are required to populate the table, identifying the counties they would be in a position to provide onsite training.
6	Training Range	Candidates are required to provide details of the range of programmes they currently provide in the table presented in the response document. This table can be duplicated as many times as required to provide all relevant details.
7	Staff Sample	Candidates are required to provide details of the staff proposed to deliver the training in the CV template provided.

8	Previous Experience	Candidates must demonstrate delivery of contracts within the Themes/ sub themes listed within the last (5) years. Each sub theme of training must be addressed separately in a separate contract template in order to demonstrate that they have successfully delivered training aligned to the Contracting Authoritys requirements. Candidates that wish to be considered for delivering training in multiple subcategories are required to copy and paste the template as required. Candidates must clearly label which learning sub theme the contract relates to.
8	Health and Safety Management System	Candidates must provide information which demonstrates operation of Health & Safety systems and procedures in line with all relevant Safety, Health & Welfare at Work legislation. The Contracting Authority reserves the right to seek further information to verify compliance. Please complete the Questionnaire Response Document (Appendix 1).

5 Instructions to Candidates

5.1 Submission of Application

The Contracting Authority is using the postbox facility on eTenders, and Application responses must be submitted electronically via the eTenders postbox facility on www.eTenders.gov.ie only. Only Applications submitted to the electronic postbox will be accepted. Applications submitted by any other means (including but not limited to by email, post or hand delivery) will **not** be accepted.

Candidates must ensure that they give themselves enough time to upload and submit all required documentation before the closing date/time noting the use of the new eTenders platform. Candidates should consider the fact that upload speeds vary. In order to submit a response to the electronic postbox, please note that you must ensure you have submitted the response completely. It is advisable to familiarise yourself with the new platform prior to the closing date.

Below we provide an overview of the key steps. Please note that the Contracting Authority take no responsibility for these steps being the totality of the steps required as different processes may require different actions.

If in doubt, please ensure you contact the eTenders helpdesk as follows:

Email: irish-eproc-helpdesk@eurodyn.com

Phone: +353-818001459

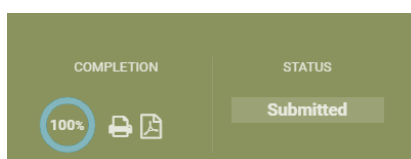
5.1.1 Accessing Documents

It is important to note that you must ensure you **ASSOCIATE** your company with this competition in the first instance. To do this you must do the following:

- (a) Log-in to the system
- (b) Locate the competition using the Advanced Search by Contracting Authority or Resource ID
- (c) Click on the hyperlink for the competition which will bring you to the CfT Workspace
- (d) In the Show CfT Menu for the competition click on the “Expression of Interest” in the drop-down menu
- (e) Complete the “Association with the CfT” tab.
- (f) This will then provide you with a link to “Application” under the Show CfT Menu

5.1.2 Submitting your Response

In responding to a competition without an electronic ESPD, a number of steps are required. The final step involves clicking on a Submit button and receiving the following status:



If you do not receive a message similar to above, you have not submitted your response.

Please note that the screen may say **OFFLINE**, this is a technical feature of eTenders and does not mean you cannot submit. Also please note you may see the percentage field also saying 100% before you submit, this still requires you to go through the submit button.

Please upload your response as a **ZIP FILE** to protect the integrity of the file names.

It is the responsibility of the Candidate to ensure that their Application is complete and is uploaded in accordance with the instructions provided on eTenders prior to the deadline as per the front page.

5.2 Initial Closing date for Responses

When completing the Qualification Questionnaire for the relevant Themes applied for, Candidates should note the following conditions:

- All questions must be completed in full and without reference to other documents or other parts of the Qualification Questionnaire.
- All questions should be answered with relevance to the subject matter of this competition. For the avoidance of doubt, it is emphasised that the information requested in the Qualification Questionnaire is aimed solely at determining the suitability and choice of Candidates for entry to panel. In order to ensure that entry to the panel is fair and consistent to all Candidates, you are instructed to respond to the technical questions by giving details of your skill and experience, accurately, honestly, and succinctly.
- Where a 'Rule' is associated with a particular criterion, Candidates must satisfy the requirements of the rule in order to remain eligible for consideration in the competition.
- Candidates are permitted to add lines to the pro-forma tables and boxes set out within the Qualification Questionnaire if required.
- All financial information should be denominated in euro (€), except where financial information is being provided in a certified or audited supporting document such as a set of financial statements in which case it is sufficient for the information to remain in its original currency.
- Failure to provide a sufficient level of detail or to explain adequately any relevant matters may result in such data or information not being considered during the evaluation process.
- Candidates are reminded that they may rely on the resources of other entities in order to establish the suitability requirements on condition that they can prove to the satisfaction of the Contracting Authority that they will have these resources at their disposal when necessary.
- Candidates for qualification may include individuals, partnerships, limited companies, groupings, or any combination of the foregoing with or without legal personality. However, a grouping if successful may be required to establish legal personality in order to enter into a contract.

The Contracting Authority reserves the right, subject to procurement regulations and directives, to request clarification of any matter set out in your responses to the Qualification Questionnaire or to request additional information from a Candidate after the date for submission of completed Qualification Questionnaires has expired.

This document is not a contract, or part of a contract, or an offer to make a contract. The procuring entity has no obligation to enter into a contract with any Candidate.

The Contracting Authority Contracting Authority is not responsible for and will not pay for any expense or cost incurred or loss suffered by a Candidate in the preparation or submission of its Application or otherwise. Further, the Contracting Authority is not responsible for any travel or accommodation costs incurred by the Candidate unless previously agreed in writing by the Contracting Authority. Each Candidate is fully responsible for the entirety of all expenses and/or costs it incurs in the presentation or submission of an application or in participating in this process and competition.

5.3 Submission of Applications

The initial closing date for Application	as per front cover.
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It is the responsibility of the Candidate to ensure that their Application is complete and is uploaded / submitted by the designated deadline.

5.4 Queries

All queries regarding this competition should be through the Questions and Answers facility on www.eTenders.gov.ie, including any omissions which would prevent Candidates from submitting a comprehensive Application. Please submit queries as soon as possible.

The closing date for queries	as per front cover.
Process for submitting queries	Via www.eTenders.gov.ie only

In circulating responses, queries will be edited to avoid disclosing the identity of the querist and will be circulated to all parties who have expressed an interest in the procurement on the eTenders website.

5.5 Extension of initial qualification Period

The Contracting Authority reserves the right, at its sole discretion, to extend the closing date for receipt of Applications by giving notice in writing (by post or electronic means) to all parties who have expressed an interest in the notice via eTenders no later than six days before the original closing date.

Candidates will be responsible for any costs incurred by them in the event that they are required to attend clarification or other meetings or make a presentation of their proposals.

5.6 Discrepancies between documents

A pdf version of the Request for has been made available on eTenders. This document will be considered as the primary source document in this procurement process, word versions of documents where they are provided are being made available to assist Candidates in responding to the application process. Where there is a discrepancy between a pdf version and a word version, the pdf version will take precedence. Candidates are requested to notify the Contracting Authority

immediately of any anomaly. Where applicable the Contracting Authority will issue amended versions.

5.7 Collusion

If any Party is found to have, at any time, offered to give or to have agreed to offer or give to any person, any bribe, gift, gratuity, commission or consideration of any kind as an inducement or reward for taking or forbearing to take any action in relation to the obtaining of its Applications, or for showing or forbearing to show any favour or disfavour to any person in relation to its Applications, the bid submitted by such Candidates Party shall be automatically disqualified and the circumstances surrounding such action shall be referred to the appropriate authority.

5.8 Confidentiality

After the official opening of Applications, information relating to the examination, clarification, evaluation and comparison of Applications and recommendations will not be disclosed to Candidates or other persons not officially concerned with such process until the award decision with the successful Candidate has been announced and in conformity with national laws.

Candidates shall treat the details of all documents supplied to them in connection with this panel as private and confidential and shall not disclose the contents to a third party without the permission of the Contracting Authority.

Any effort by the Candidate to influence the Contracting Authority or his staff in the process of examination, clarification, evaluation and comparison of Applications and in decisions concerning the admission to the panel may result in the rejection of that Application.

5.9 Clarification of Responses

The Contracting Authority is entitled, but not obliged, to seek clarification of Applications. No change to the substance of the Application shall be sought, offered or permitted. To assist in finalising the Application evaluation, selected Candidates may be invited to attend clarification meetings with the Contracting Authority.

5.10 Interference and Inducement to Appoint

Any effort by the Candidate to unduly influence the Contracting Authority, relevant agency personnel or any other relevant persons or bodies in the process of examination, clarification, evaluation and comparison of applications and in decisions concerning the admission to the panel shall have their Application rejected. The presumptions (including as to any gift, consideration or advantage) and other provisions under the Criminal Justice Act 2018, and all other measures for the time being governing the subject-matter in any applicable jurisdiction, shall be applicable.

5.11 Conflict of Interest

Any conflict of interest involving a Candidate (or Candidates in the event of a consortium bid) must be fully disclosed to the Contracting Authority. Any registrable interest involving the Candidate and the

Contracting Authority or employees of the Contracting Authority, or their relatives must be fully disclosed in the Application submission or should be communicated to the Contracting Authority immediately upon such information becoming known to the Candidate, in the event of this information only coming to their notice after the submission of a bid and prior to the award of any contract(s) under this panel. Failure to disclose a conflict of interest may disqualify a Candidate or invalidate an award of contract, depending on when the conflict of interest comes to light.

5.12 Publicity

Candidates shall not undertake (or permit to be undertaken) at any time, whether at this stage or after admission to the panel or the award of any contract(s), any publicity activity with any section of the media in relation to this Application/agreement other than with the prior written consent of the Contracting Authority. Such consent shall extend to the content of any publicity. For the purposes of this paragraph, the word “media” includes (but is not limited to) radio, television, newspapers, trade and specialist press, the Internet and e-mail, accessible by the public at large and the representatives of such media.

The Contracting Authority will have the right to publicise or otherwise disclose to any third-party information regarding this process and the agreement.

5.13 Notification of Evaluations

All Candidates will be informed of the outcome of their applications following evaluation and any necessary clarifications. Potential outcomes can be:

- (a) Letter of Intent of admittance to panel
- (b) Letter of Regret, with option to reapply.

Note: Unsuccessful Candidates may reapply at any time, should they meet the requirements of the panel outlined, until the panel expires.

5.14 Policy on Personal Debriefings

Based on the provision of the information to unsuccessful Candidates as outlined above and due to resourcing constraints, the Contracting Authority will not be offering individual debriefing meetings to unsuccessful Candidates.

5.15 Copyright

The Contracting Authority will have copyright ownership of any material developed for use by the Contracting Authority under the terms of this competition. The supplier may have a royalty-free non-exclusive license to use such material but only for its own purposes (to be agreed with the successful Candidate).

Please also refer to section 3.12 of this document – Intellectual Property.

5.16 Environmental Aspects

The Contracting Authority is committed to the principles of environmental management in its activities, and it encourages the implementation of sustainability principles in its procurement practices. Candidates/contractors should make all reasonable efforts to minimise adverse environmental impact in the methods of services delivery and in materials used.

5.17 Knowledge and Skills Transfer

It will be a condition of the panel and of contracts awarded under this panel that opportunities for the transfer of skills and/or knowledge from the panel member to the Contracting Authority will be availed of during the course of the contract or prior to the handing over of the finished work/product.

5.18 Currency and Payments

The currency and invoices in which all prices and rates shall be tendered, and which payments under the contracts awarded under this panel will be paid, shall be euro (€).

All prices and rates quoted should be on the basis of both VAT exclusive and VAT inclusive costs, clearly identifying the applicable rate of VAT.

A schedule of payments will be agreed with the successful Candidate and invoices shall be submitted in accordance with the terms agreed with the Contracting Authority.

RELEVANT LEGISLATION

The place of supply will determine the applicable terms and conditions under which supply will be made and place specific obligations on the Contracting Authority to comply with relevant legislative requirements as follows:

5.19 Irish Legislation and Law

Candidates should be aware that national legislation applies in other matters such as Employment, Working Hours, Official Secrets, Data Protection and Health and Safety. Candidates must have regard to statutory terms relating to minimum pay and to legally binding industrial or sectoral agreements in the Contracting Authority Applications and in delivering contracts awarded to them. The contract[s] awarded on foot of this Application process will be governed by Irish law.

5.20 Health & Safety

With respect to the jurisdiction where the supply of goods or services will be provided, the successful Candidate must comply with the following Health and Safety legislation as applicable;

- The Safety, Health & Welfare at work Act 2005

5.21 Anti-Competitive Conduct

Candidates' attention is drawn to the following legislation:

- The Competition Act 2002

Candidates' attention is drawn to the Competition Act 2002 (as amended, the "2002 Act"). The 2002 Act makes it a criminal offence for Candidates to collude on prices or terms in a public procurement competition.

5.22 Accessibility/Dignity at Work

The successful Candidate(s) shall comply with all relevant legislation relating to dignity at work. As a public body and employer, the Contracting Authority is committed to a policy of equality of opportunity for all personnel.

In line with the Disability Act 2005, accessibility requirements should be clearly stated in request for Applications / quotations where applicable. Under Section 27 of the Act the Contracting Authority is required to ensure that both the goods supplied, and services provided to it are accessible to persons with disabilities.

5.23 Freedom of Information

All responses to this Request for Application will be treated in confidence and no information contained therein will be communicated to any third party without the written permission of the Candidate except insofar as is specifically required for the consideration and evaluation of the response or as may be required under law, including the Freedom of Information Act 2014, EU and Irish Government Procurement Procedures, or in response to questions, debates or other parliamentary procedures in or of the Oireachtas (the Irish Parliament).

Candidates are asked to consider if any of the information supplied by them in response to this request for Applications should not be disclosed because of its sensitivity. If this is the case, Candidates should specify the information that is sensitive and the reasons for its sensitivity. The Contracting Authority cannot guarantee that any information provided by Candidates, either in response to this Application or in the course of any contract awarded as a result thereof, will not be released pursuant to the Contracting Authority's obligations under law, including the Freedom of Information Act 2014, or to those under EU and Irish Government Procurement rules. The Contracting Authority accepts no liability whatsoever in respect of any information provided which is subsequently released, or in respect of any consequential damage suffered as a result of such disclosure.

5.24 Late Payment

The Contracting Authority operates in accordance with EU Directive 2011/7/EU on combating Late Payment in commercial Transactions transposed into national legislation as S.I. 580 of 2012 and amended by S.I. No. 281 of 2016.

5.25 Data Protection

"Data Protection Laws" means all applicable national and EU data protection laws, regulations and guidelines including but not limited to Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (the "General Data Protection Regulation"), the Data Protection Act, 2018 and any

guidelines and codes of practice issued by the Data Protection Commission or other supervisory authority for data protection in Ireland from time to time.

The Contracting Authority will be a Controller (where Controller has the meaning given under the Data Protection Laws) in respect of any Personal Data (where Personal Data has the meaning given under the Data Protection Laws) required to be provided by the Candidate in response to this Request for Application.

The Candidate, as Controller in respect of any Personal Data provided by it in its Application, is required to confirm by way of statement in the “Declarations” section of the accompanying Application Response Document that all Data Subjects (where Data Subject has the meaning given under the Data Protection Laws) whose Personal Data is provided by the Candidate have consented to the processing of such Personal Data by the Candidate, the Contracting Authority, the Evaluation Team and the supplier of the eTenders.gov.ie website, for the purposes of the participation of the Candidate in this Competition or that the Candidate otherwise has a legal basis for providing such Personal Data to the Contracting Authority for the purposes of its participation in this Competition.

5.26 Changes in Legislation

As a condition of award, it shall be the sole responsibility of the Candidate (in the event of success in this competition) to fulfil the obligations under the panel and under any Contracts awarded under this panel, notwithstanding any changes in circulars, laws, regulations, taxation, duties or other factors which might arise following the withdrawal of the United Kingdom from membership of the EU.